

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758

FILED

**IN THE MATTER OF THE APPLICATION OF BAK)
COMMUNICATIONS' VERIFIED PETITION)
FOR A CERTIFICATE OF TERRITORIAL)
AUTHORITY TO RESELL BUNDLED LOCAL)
EXCHANGE TELEPHONE SERVICES WITHIN)
THE STATE OF INDIANA)**

JUL 03 2003

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42463

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On June 12, 2003, Bak Communications ("Bak") filed its Verified Petition for a Certificate of Territorial Authority to Resell Bundled Local Exchange Telephone Services within the State of Indiana (hereafter "Petition"). The Petition filed by Bak was a "short form" petition, as addressed by this Commission in Cause No. 39983, intended to be processed after due public notice, without the necessity of a hearing.

The Presiding Officer in this Cause, having examined the Petition and being duly advised in the premises, hereby finds as follows:

Bak's Petition purports to be a CTA for the purposes of reselling bundled local exchange telephone services. However, Bak's application states that if granted the CTA, it will "use a combination of resale/UNE [unbundled network elements] as provided by the ILEC." The statement that Bak intends to use UNE implicates that it intends to provide facilities-based services, which requires a full hearing, and separate application process.

THEREFORE, within fifteen (15) days of this docket entry, applicant Bak shall file with this Commission a statement of whether its request for Commission approval is limited to only the resale of bundled local exchange telephone services, or whether it plans to also provide facilities-based services, which requires a full hearing and separate application.

IT IS SO ORDERED.

Lorraine Hitz-Bradley
Lorraine Hitz-Bradley, Administrative Law Judge

7/3/03

Date

Nancy E. Manley
Nancy E. Manley, Secretary to the Commission